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EDITOR'S PREFACE

I.

This issue of the Review presents a wide range of topics which should prove useful to our readers. Product liability litigators will find Edward Digges' Article an invaluable aid in their research and analysis of product liability cases. Mr. Digges clarifies and updates Maryland law in this rapidly developing field of practice. Many product actions involve pleading and proving three causes of action — negligence, breach of warranty, and strict liability in tort. The attempt to distinguish between the three theories in order to plead and prove one's case, as plaintiff or as defendant, is often quite tedious and confusing. Rather than exacerbate this confusion, Digges opts to clarify the common elements of all three actions. The author incorporates relevant cases decided up to mid-1977 and, in addition, discusses the judgment burden-apportioning devices of indemnity and contribution.

In their Article, Ralph Moore and Leonard Bulman analyze recent legislative and administrative developments in Maryland and federal law relating to hearing procedures required for the movement of handicapped children through regular and special educational programs in the state educational system. The authors reconcile potential conflicts in the language of provisions in Maryland law and provisions in federal law and, moreover, describe the similarities and differences between Maryland and federal provisions.

In the Summer of 1977, the Editorial Board initiated a new policy with regard to Law Review writing competitions. Our Review, like most others, chooses a case upon which each competitor is to write a casenote. In past years, the case chosen by the Editorial Board was not selected with a view toward future publication. Our new policy changes this past practice; we now select a case suitable for publication because of its subject matter and importance. Pursuant to this policy, we awarded the students who wrote the best casenote on *Linmark Associates, Inc. v. Township of Willingboro*, 97 S. Ct. 1614 (1977), the privilege to expand their casenotes into a publishable Casenote or Comment. The first Comment in this issue is the product of our Summer, 1977, competition.

The permissibility of local government restrictions on the posting of "for sale" and "sold" signs in residential neighborhoods is presently a burning issue in Baltimore City and Baltimore County. The authors of the *Linmark* Comment, Rusty Minkoff and John Sinclair, had the opportunity to testify before the Baltimore County Council in mid-December about a proposed sign ban bill. Student authors of articles in past issues of the Review have testified before committees of local and state government about issues ranging from child abuse to pregnancy disability benefits. They all have found the opportunity to influence governmental decision-making a particularly gratifying culmination of many long, hard hours of work.

Bill Ryan's Comment on the decriminalization of nonsupport is published at a time when the Maryland General Assembly is considering that issue. Legislators and lawyers should find Ryan's general review of the law and his suggested statute persuasive for the proposition that Maryland laws which provide criminal penalties for nonsupport are counterproductive.

Following casenotes by Alan Cohen on residential picketing, Bob Greenberg on voluntary waiver of jury unanimity, and Ray Bank on adultery and child custody, Bill Pitcher presents a review of the Maryland General Assembly's comprehensive reform of the state's rape laws. Rounding out the issue are four book reviews, including ones by Professor Richard Budekke and Mark Coplin.

II.

The University of Baltimore's fiftieth commencement was held in May of 1977. Our own Professor Royal G. Shannonhouse delivered the commencement address. In his speech, Professor Shannonhouse directed the graduates to consider their ultimate purpose as lawyers and as citizens. Shannonhouse stated:

Above all, remember that your true worth will be measured not by what you acquire, but by what you give away. Mankind can be divided into two basic groups — the takers and the givers, those whose lives are devoted to getting what they want and those whose lives emphasize what they can do for others.

On professional giving, I offer one small illustration. The practitioner at law should always have one non-paying client. You will always have clients who beat you out of a fee; I do not mean them. I mean, always serve one client who needs your help but who cannot pay in full what your work is worth.

If each of you would, from the beginning of your practice, continuously have one non-paying client, not only would you learn much that you need to know about people, life, and the law, but, in time, much of the disgracefully unmet need for legal services would be satisfied, and the reputation of our profession would be enhanced. Just one — but always one.

III.

In order to continue to serve the legal community effectively, the Law Review must receive input from readers. We on the Review invite all lawyers to submit articles for publication and request that lawyers not possessing the time to write send us suggestions for topics they would like to see covered in the Review.

Donn Weinberg

UNIVERSITY OF BALTIMORE

LAW REVIEW

VOLUME SEVEN

FALL 1977

NUMBER ONE

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The University of Baltimore is a non-sectarian, non-profit state institution of higher education, open to qualified men and women without regard to race, religion, or national origin. The University consists of (1) the College of Liberal Arts, which awards the Bachelor of Arts and the Bachelor of Science degrees, (2) the School of Business, which awards the Bachelor of Science and the Master of Business Administration degrees, and (3) the School of Law, which awards the Juris Doctor degree. The University's classroom, library, social, and administrative buildings are located in mid-town Baltimore. Athletic facilities are located in the Mount Washington section of Baltimore. The University has no dormitories, but out-of-town students are assisted by the Dean of Students in finding suitable living quarters.

The School of Law was first opened with the founding of the University of Baltimore in 1925. The Mount Vernon School of Law of Eastern College was established in 1935. Effective September 1, 1970, the Mount Vernon School of Law was merged with the University of Baltimore School of Law.

The School has both a day and evening division. The day division offers a full-time, three-year program, leading to the Juris Doctor degree upon satisfactory completion of 84 semester hours of work. The evening division has a four-year Juris Doctor degree program requiring satisfactory completion of 84 semester hours. The normal evening program is 10 hours of class time each week, meeting on three nights.

The University is regionally accredited by the Middle States Association of Colleges and Secondary Schools. The School of Law is on the list of law schools provisionally approved by the American Bar Association.

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